

Champagne, Donald

From: Champagne, Donald
Sent: Saturday, December 04, 2010 2:52 PM
To: 'robert.chee@ncr.com'
Subject: Proposed examiner's amendment: USPTO appl. 09/832767 - Atty. Docket 11447.10
Attachments: Stanbach paragraph reading on claim 21.pdf

Mr. Chee,

I have examined the claims filed on 1 April 2010 and found most to be allowable. In particular, I found new prior art, Stanbach, Jr. et al. (US 6,449,657 B2) that reads on independent claim 21 and all of its dependents except claim 22. I have attached a copy of the paragraph in Stanbach that reads on those claims.

Claims are allowable because the prior art does not teach or suggest "appending an advertisement retrieval software means". Hence, subject to the completion of a search of the non-patent literature, I would be pleased to allow all the claims with the following amendment:

Incorporate claim 22 into claim 21 and cancel claim 22.

Although that is all I require, I recommend for applicant's consideration two other amendments:

At claim 18, lines 10-11, amend, "the plurality of advertisements are not from the e-mail user", to "the at least one of the plurality of advertisements are not from the e-mail user".

At the present claim 21, at the second line on page. 8 of the 1 April 2010 amendment, change "the recipient" to "a [the] recipient".

I would be please to make these changes by examiner's amendment. If that is acceptable, please email to me an MS Word copy of all the claims including those amended and so marked in the usual way.

This offer of expedited allowance is open until your close of business Friday, December 10. After that I will have to mail a non-final rejection indicating allowable matter.

Please feel free to call me (571-272-6717) if I may be of further help to applicant in reaching s decision.

Don

Donald L. Champagne, Primary Examiner
USPTO Art Unit 3688

12/18/2010